



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 00-1237-A)

PATENT

In the Application of:	)	
	)	
Rajgarhia <i>et al.</i>	)	Before the Examiner:
	)	
Serial No.: 09/992,430	)	
	)	
Filed: November 23, 2001	)	Group Art Unit:
	)	
For: METHODS AND MATERIALS	)	
FOR SYNTHESIS OF ORGANIC	)	
PRODUCTS	)	

RESPONSE TO THE RESTRICTION REQUIREMENT  
MAILED JUNE 12, 2003

Commissioner of Patents  
P.O. Box 1450  
Arlington, VA 22231-1450

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JUL 17 2003  
TECH CENTER 1600/2900

Sir:

Responsive to the Restriction Requirement, mailed June 12, 2003, Applicant elects to prosecute claims 1, 3-4, and 7-15, designated as Group I by the Examiner.

Applicants request that the Examiner rejoin claims 16-23, designated as Group III and examine these claims with the pending claims relating to the yeast lactic dehydrogenase (LDH) of SEQ ID NO. 22 hereby elected for prosecution. Applicants respectfully contend that, if there is no prior art relating to recombinant nucleic acid encoding this yeast LDH of the invention, there will not be prior art regarding using this novel recombinant nucleic acid to produce LDH. Applicants thus request reconsideration of the restriction requirement and favorable action on this request.

If Examiner Pak believes it to be helpful, he or she is invited to contact the undersigned attorney by telephone at (312) 913-0001.

Date: July 14, 2003

By:

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff**

Kevin E. Noonan, Ph.D.  
Reg. No. 35,303



07-15-03

1652/21  
7/18/03

THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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PATENT

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Rajgarhia *et al.*

Serial No.: 09/992,430

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For: METHODS AND MATERIALS  
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PRODUCTS

Before the Examiner:

Group Art Unit:

TRANSMITTAL LETTER

Commissioner of Patents  
P.O. Box 1450  
Arlington, VA 22231-1450

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JUL 17 2003

TECH CENTER 1600/2900

Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached  
Response to Restriction Requirement, and return postcard
2. No additional fee is required.
3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490.  
A duplicate copy of this sheet is enclosed.
4. CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certifies that this Transmittal Letter and this paper, as described in paragraph 1 herein above, are being sent by U.S. Postal Service as "Express Mail" in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231 on this 14<sup>th</sup> day of July 2003.

By:

Kevin E. Noonan  
Reg. No. 35303